

ing after paragraph (17) the following new paragraph:

"(18) FAMILY DEVELOPMENT ACCOUNTS.—The deduction allowed by section 1400H(a)(1)(A)."

(b) TAX ON EXCESS CONTRIBUTIONS.—

(1) TAX IMPOSED.—Subsection (a) of section 4973 is amended by striking "or" at the end of paragraph (3), adding "or" at the end of paragraph (4), and inserting after paragraph (4) the following new paragraph:

"(5) a family development account (within the meaning of section 1400H(e))."

(2) EXCESS CONTRIBUTIONS.—Section 4973 is amended by adding at the end the following new subsection:

"(g) FAMILY DEVELOPMENT ACCOUNTS.—For purposes of this section, in the case of a family development account, the term 'excess contributions' means the sum of—

"(1) the excess (if any) of—

"(A) the amount contributed for the taxable year to the account (other than a qualified rollover, as defined in section 1400H(c)(7), or a contribution under section 1400I), over

"(B) the amount allowable as a deduction under section 1400H for such contributions, and

"(2) the amount determined under this subsection for the preceding taxable year reduced by the sum of—

"(A) the distributions out of the account for the taxable year which were included in the gross income of the payee under section 1400H(b)(1),

"(B) the distributions out of the account for the taxable year to which rules similar to the rules of section 408(d)(5) apply by reason of section 1400H(d)(3), and

"(C) the excess (if any) of the maximum amount allowable as a deduction under section 1400H for the taxable year over the amount contributed to the account for the taxable year (other than a contribution under section 1400I).

For purposes of this subsection, any contribution which is distributed from the family development account in a distribution to which rules similar to the rules of section 408(d)(4) apply by reason of section 1400H(d)(3) shall be treated as an amount not contributed."

(c) TAX ON PROHIBITED TRANSACTIONS.—Section 4975 is amended—

(1) by adding at the end of subsection (c) the following new paragraph:

"(6) SPECIAL RULE FOR FAMILY DEVELOPMENT ACCOUNTS.—An individual for whose benefit a family development account is established and any contributor to such account shall be exempt from the tax imposed by this section with respect to any transaction concerning such account (which would otherwise be taxable under this section) if, with respect to such transaction, the account ceases to be a family development account by reason of the application of section 1400H(d)(2) to such account.", and

(2) in subsection (e)(1), by striking "or" at the end of subparagraph (E), by redesignating subparagraph (F) as subparagraph (G), and by inserting after subparagraph (E) the following new subparagraph:

"(F) a family development account described in section 1400H(e), or"

(d) INFORMATION RELATING TO CERTAIN TRUSTS AND ANNUITY PLANS.—Subsection (c) of section 6047 is amended—

(1) by inserting "or section 1400H" after "section 219", and

(2) by inserting ", of any family development account described in section 1400H(e)", after "section 408(a)".

(e) INSPECTION OF APPLICATIONS FOR TAX EXEMPTION.—Clause (i) of section 6104(a)(1)(B) is amended by inserting "a family development account described in section 1400H(e)," after "section 408(a)".

(f) FAILURE TO PROVIDE REPORTS ON FAMILY DEVELOPMENT ACCOUNTS.—Paragraph (2) of section 6693(a) is amended by striking "and" at the end of subparagraph (C), by striking the period and inserting ", and" at the end of subparagraph (D), and by adding at the end the following new subparagraph:

"(E) section 1400H(g)(6) (relating to family development accounts)."

(g) CONFORMING AMENDMENTS REGARDING COMMERCIAL REVITALIZATION CREDIT.—

(1) Section 46 (relating to investment credit) is amended by striking "and" at the end of paragraph (2), by striking the period at the end of paragraph (3) and inserting ", and", and by adding at the end the following new paragraph:

"(4) the commercial revitalization credit provided under section 1400K."

(2) Section 39(d) is amended by adding at the end the following new paragraph:

"(9) NO CARRYBACK OF SECTION 1400K CREDIT BEFORE DATE OF ENACTMENT.—No portion of the unused business credit for any taxable year which is attributable to any commercial revitalization credit determined under section 1400K may be carried back to a taxable year ending before the date of the enactment of section 1400K."

(3) Subparagraph (B) of section 48(a)(2) is amended by inserting "or commercial revitalization" after "rehabilitation" each place it appears in the text and heading.

(4) Subparagraph (C) of section 49(a)(1) is amended by striking "and" at the end of clause (ii), by striking the period at the end of clause (iii) and inserting ", and", and by adding at the end the following new clause:

"(iv) the portion of the basis of any qualified revitalization building attributable to qualified revitalization expenditures."

(5) Paragraph (2) of section 50(a) is amended by inserting "or 1400K(d)(2)" after "section 47(d)" each place it appears.

(6) Subparagraph (A) of section 50(a)(2) is amended by inserting "or qualified revitalization building (respectively)" after "qualified rehabilitated building".

(7) Subparagraph (B) of section 50(a)(2) is amended by adding at the end the following new sentence: "A similar rule shall apply for purposes of section 1400K."

(8) Paragraph (2) of section 50(b) is amended by striking "and" at the end of subparagraph (C), by striking the period at the end of subparagraph (D) and inserting "; and", and by adding at the end the following new subparagraph:

"(E) a qualified revitalization building (as defined in section 1400K) to the extent of the portion of the basis which is attributable to qualified revitalization expenditures (as defined in section 1400K)."

(9) The last sentence of section 50(b)(3) is amended to read as follows: "If any qualified rehabilitated building or qualified revitalization building is used by the tax-exempt organization pursuant to a lease, this paragraph shall not apply for purposes of determining the amount of the rehabilitation credit or the commercial revitalization credit."

(10) Subparagraph (C) of section 50(b)(4) is amended—

(A) by inserting "or commercial revitalization" after "rehabilitated" in the text and heading, and

(B) by inserting "or commercial revitalization" after "rehabilitation".

(11) Subparagraph (C) of section 469(i)(3) is amended—

(A) by inserting "or section 1400K" after "section 42"; and

(B) by striking "CREDIT" in the heading and inserting "AND COMMERCIAL REVITALIZATION CREDITS".

(h) CLERICAL AMENDMENTS.—The table of subchapters for chapter 1 is amended by adding at the end the following new item:

"Subchapter X. Renewal Communities."

SEC. 606. EVALUATION AND REPORTING REQUIREMENTS.

Not later than the close of the fourth calendar year after the year in which the Secretary of Housing and Urban Development first designates an area as a renewal community under section 1400E of the Internal Revenue Code of 1986, and at the close of each fourth calendar year thereafter, such Secretary shall prepare and submit to the Congress a report on the effects of such designations in stimulating the creation of new jobs, particularly for disadvantaged workers and long-term unemployed individuals, and promoting the revitalization of economically distressed areas.

TITLE VII—TAX REDUCTIONS CONTINGENT ON SAVING SOCIAL SECURITY

SEC. 701. TAX REDUCTIONS CONTINGENT ON SAVING SOCIAL SECURITY.

(a) REQUIREMENT FOR BALANCED BUDGET AND SOCIAL SECURITY SOLVENCY.—Notwithstanding any other provision of this Act, no provision of this Act (or amendment made thereby) shall take effect before the first January 1 after the date of the enactment of this Act that follows a calendar year for which there is a social security solvency certification.

(b) EXEMPTION OF FUNDED PROVISIONS.—The following provisions shall take effect without regard to subsection (a):

(1) Subtitle C of title I (relating to increase in social security earnings limit and recomputation of benefits).

(2) Section 213 (relating to production flexibility contract payments).

(3) Title III (relating to extension and modification of certain expiring provisions).

(4) Title IV (relating to revenue offset).

(5) Title V (relating to technical corrections).

(c) SOCIAL SECURITY SOLVENCY CERTIFICATION.—For purposes of subsection (a), there is a social security solvency certification for a calendar year if, during such year, the Board of Trustees of the Social Security Trust Funds certifies that the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund are in actuarial balance for the 75-year period utilized in the most recent annual report of such Board of Trustees pursuant to section 201(c)(2) of the Social Security Act (42 U.S.C. 401(c)(2)).

The question being put, viva voce,

Will the House agree to said further amendment in the nature of a substitute?

The SPEAKER pro tempore, Mr. THORNBERRY, announced that the yeas had it.

Mr. RANGEL demanded a recorded vote on the amendment in the nature of a substitute, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 197
negative Nays 227

¶197.5

[Roll No. 468]

AYES—197

Abercrombie	Barrett (WI)	Bonior
Ackerman	Becerra	Borski
Allen	Bentsen	Boswell
Andrews	Berry	Boucher
Baessler	Bishop	Boyd
Baldacci	Blagojevich	Brady (PA)
Barcia	Blumenauer	Brown (CA)

Brown (FL)	Jackson-Lee (TX)	Pallone	Knollenberg	Parker	Shuster	Fox	Lazio	Roukema
Brown (OH)	Jefferson	Pascarell	Kolbe	Paul	Skeen	Franks (NJ)	Leach	Royce
Capps	John	Pastor	LaHood	Paxon	Smith (MI)	Frelinghuysen	Lewis (CA)	Ryun
Cardin	Johnson (WI)	Payne	Largent	Pease	Smith (NJ)	Gallegly	Lewis (KY)	Salmon
Carson	Johnson (WI)	Pelosi	Latham	Peterson (PA)	Smith (OR)	Ganske	Linder	Sandlin
Clay	Johnson, E. B.	Peterson (MN)	LaTourette	Petri	Smith (TX)	Gekas	Livingston	Scarborough
Clayton	Kanjorski	Pickett	Lazio	Pickering	Smith, Linda	Gibbons	LoBiondo	Schaefer, Dan
Clement	Kaptur	Pomeroy	Leach	Pitts	Snowbarger	Gilchrest	Lucas	Schaefer, Bob
Clyburn	Kennedy (MA)	Poshard	Lewis (CA)	Pombo	Solomon	Gillmor	Maloney (CT)	Sensenbrenner
Condit	Kennedy (RI)	Price (NC)	Lewis (KY)	Porter	Souder	Gilman	Manzullo	Sessions
Conyers	Kennelly	Rahall	Linder	Portman	Spence	Gingrich	McCarthy (NY)	Shadegg
Costello	Kildee	Rangel	Livingston	Quinn	Stearns	Goode	McCollum	Shaw
Coyne	Kilpatrick	Reyes	LoBiondo	Radanovich	Stump	Goodlatte	McCrery	Shays
Cramer	Kind (WI)	Rivers	Lucas	Ramstad	Sununu	Goodling	McDade	Sherman
Cummings	Klecicka	Rodriguez	Maloney (CT)	Redmond	Talent	Gordon	McHugh	Shimkus
Danner	Klink	Rothman	Manzullo	Regula	Tauscher	Graham	McInnis	Shuster
Davis (FL)	Kucinich	Roybal-Allard	McCollum	Riggs	Tauzin	Granger	McIntosh	Skeen
Davis (IL)	LaFalce	Rush	McCrery	Riley	Taylor (NC)	Greenwood	McKeon	Smith (MI)
DeFazio	Lampson	Sanchez	McDade	Roemer	Thomas	Hansen	Metcalf	Smith (NJ)
DeGette	Lantos	Sanders	McHugh	Rogan	Thornberry	Harman	Mica	Smith (OR)
DeLauro	Lee	Sandlin	McInnis	Rogers	Thune	Hastert	Miller (FL)	Smith (TX)
Deutsch	Levin	Sawyer	McIntosh	Rohrabacher	Tiahrt	Hastings (WA)	Moran (KS)	Snowbarger
Dicks	Lewis (GA)	Schumer	McKeon	Ros-Lehtinen	Upton	Hayworth	Myrick	Solomon
Dingell	Lipinski	Scott	Metcalf	Roukema	Walsh	Hefley	Nethercutt	Souder
Dixon	Lofgren	Serrano	Mica	Royce	Wamp	Herger	Ney	Spence
Doggett	Lowe	Sherman	Miller (FL)	Ryun	Watkins	Hilleary	Northup	Stearns
Dooley	Luther	Sisisky	Moran (KS)	Sabo	Watts (OK)	Hobson	Norwood	Stump
Doyle	Maloney (NY)	Skaggs	Morella	Salmon	Weldon (FL)	Hoekstra	Nussle	Sununu
Edwards	Manton	Skelton	Myrick	Sanford	Weldon (PA)	Hoolley	Oxley	Talent
Engel	Markey	Slaughter	Nethercutt	Scarborough	Weller	Horn	Packard	Tauscher
Eshoo	Martinez	Smith, Adam	Neumann	Schaefer, Dan	White	Hostettler	Pappas	Tauzin
Evans	Mascara	Snyder	Ney	Schaefer, Bob	Whitfield	Houghton	Parker	Taylor (NC)
Farr	Matsui	Spratt	Northup	Sensenbrenner	Wick	Hulshof	Paul	Thomas
Fattah	McCarthy (MO)	Stabenow	Norwood	Sessions	Wilson	Hunter	Paxon	Thornberry
Fazio	McCarthy (NY)	Stark	Shadegg	Shadegg	Wolf	Hutchinson	Pease	Thune
Filner	McDermott	Stenholm	Oxley	Shaw	Young (AK)	Hyde	Peterson (PA)	Tiahrt
Ford	McGovern	Stokes	Packard	Shays	Young (FL)	Inglis	Petri	Turner
Frank (MA)	McHale	Strickland	Pappas	Shimkus		Istook	Pickering	Upton
Frost	McIntyre	Stupak				Jenkins	Pitts	Walsh
Gejdenson	McKinney	Tanner				Johnson (CT)	Pombo	Wamp
Gephardt	McNulty	Thompson				Johnson, Sam	Porter	Watkins
Gonzalez	Meehan	Thurman				Jones	Portman	Watts (OK)
Gordon	Meek (FL)	Tierney				Kasich	Quinn	Weldon (FL)
Green	Meeks (NY)	Torres				Kelly	Radanovich	Weldon (PA)
Gutierrez	Menendez	Towns				Kennelly	Ramstad	Weller
Hall (OH)	Millender	Trafficant				Kim	Redmond	White
Hall (TX)	McDonald	Turner				King (NY)	Regula	Whitfield
Harman	Miller (CA)	Velazquez				Kingston	Riggs	Wicker
Hastings (FL)	Minge	Vento				Klug	Riley	Wilson
Hefner	Mink	Visclosky				Knollenberg	Roemer	Wolf
Hilliard	Moakley	Waters				Kolbe	Rogan	Young (AK)
Hinchee	Mollohan	Watt (NC)				Largent	Rogers	Young (FL)
Hinojosa	Moran (VA)	Waxman				Latham	Rohrabacher	
Holden	Murtha	Wexler				LaTourette	Ros-Lehtinen	
Hoolley	Nadler	Weygand						
Hoyer	Neal	Wise						
Jackson (IL)	Oberstar	Woolsey						
	Obey	Wynn						
	Ortiz	Yates						
	Owens							

NOT VOTING—11

So the amendment in the nature of a substitute was not agreed to.

Pursuant to House Resolution 552, the previous question was ordered on the bill, as amended.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

The question being put, viva voce,

Will the House pass said bill?

The SPEAKER pro tempore, Mr. THORNBERRY, announced that the yeas had it.

Mr. ARCHER demanded a recorded vote on passage of said bill, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 229 affirmative } Nays 195

197.6 [Roll No. 469]

AYES—229

Aderholt	Combest	Gingrich	Archer	Brady (TX)	Crapo	Abercrombie	Dooley	Kilpatrick
Archer	Cook	Goode	Army	Bryant	Cubin	Ackerman	Doyle	Kind (WI)
Army	Cooksey	Goodlatte	Bachus	Bunning	Cunningham	Aderholt	Edwards	Klecicka
Bachus	Cox	Goodling	Baker	Burr	Danner	Allen	Emerson	Klink
Baker	Crane	Graham	Ballenger	Buyer	Davis (VA)	Andrews	Engel	Kucinich
Ballenger	Crapo	Granger	Barcia	Calvert	Deal	Baessler	Eshoo	LaFalce
Barr	Cubin	Greenwood	Barr	Camp	DeLay	Baldacci	Etheridge	LaHood
Barrett (NE)	Cunningham	Gutknecht	Barrett (NE)	Campbell	Diaz-Balart	Barrett (WI)	Evans	Lampson
Bartlett	Davis (VA)	Hamilton	Bartlett	Canady	Dickey	Becerra	Farr	Lantos
Barton	Deal	Hansen	Barton	Cannon	Doolittle	Bentsen	Fattah	Lee
Bass	DeLay	Hastert	Bass	Capps	Dreier	Berry	Fazio	Levin
Bateman	Diaz-Balart	Hastings (WA)	Bateman	Chabot	Duncan	Blagojevich	Filner	Lewis (GA)
Bereuter	Dickey	Hayworth	Bereuter	Chambliss	Dunn	Blumenauer	Ford	Lipinski
Bilbray	Doolittle	Hefley	Bilbray	Coble	Ehlers	Bonior	Frank (MA)	Lofgren
Bilirakis	Dreier	Herger	Bilirakis	Collins	Ehrlich	Borski	Frost	Lowe
Bliley	Duncan	Hill	Bliley	Combest	English	Boucher	Gejdenson	Luther
Blunt	Dunn	Hilleary	Blunt	Condit	Everett	Boyd	Gephardt	Maloney (NY)
Boehlert	Ehlers	Hobson	Boehner	Cook	Ewing	Brady (PA)	Gonzalez	Manton
Boehner	Ehrlich	Hoekstra	Bonilla	Cox	Fawell	Brown (CA)	Green	Markey
Bonilla	Emerson	Horn	Bono	Cramer	Foley	Brown (FL)	Gutierrez	Martinez
Bono	English	Hostettler	Boswell	Crane	Forbes	Brown (OH)	Gutknecht	Mascara
Brady (TX)	Ensign	Houghton				Cardin	Hall (OH)	Matsui
Bryant	Everett	Hulshof				Carson	Hall (TX)	McCarthy (MO)
Bunning	Ewing	Hunter				Castle	Hamilton	McDermott
Burr	Fawell	Hutchinson				Chenoweth	Hastings (FL)	McGovern
Buyer	Foley	Hyde				Clay	Hefner	McHale
Calvert	Forbes	Inglis				Clayton	Hill	McIntyre
Camp	Fossella	Istook				Clement	Hilliard	McKinney
Campbell	Fox	Jenkins				Clyburn	Hinchee	McNulty
Canady	Franks (NJ)	Johnson (CT)				Conyers	Hinojosa	Meehan
Cannon	Frelinghuysen	Johnson, Sam				Costello	Holden	Meek (FL)
Castle	Gallegly	Jones				Coyne	Hoyer	Meeks (NY)
Chabot	Ganske	Kasich				Cummings	Jackson (IL)	Menendez
Chambliss	Gekas	Kelly				Davis (FL)	Jackson-Lee	Millender
Chenoweth	Gibbons	Kim				Davis (IL)	(TX)	McDonald
Christensen	Gilchrest	King (NY)				DeFazio	Jefferson	Miller (CA)
Coble	Gillmor	Kingston				DeGette	John	Minge
Collins	Gilman	Klug				DeLauro	Johnson (WI)	Mink
						Deutsch	Johnson, E.B.	Moakley
						Dicks	Kanjorski	Mollohan
						Dingell	Kaptur	Moran (VA)
						Dixon	Kennedy (MA)	Morella
						Doggett	Kennedy (RI)	Murtha
							Kildee	Nadler

NOES—195